

# United States District Court

for the  
Western District of New York

United States of America

v.

Case No. 23-mj-1022

Brandi C. Bartlow

*Defendant*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about March 8, 2023, in the County of Cattaraugus, in the Western District of New York, the defendant, **BRANDI C. BARTLOW**, did knowingly, intentionally, and unlawfully possess with intent to distribute methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

This Criminal Complaint is based on these facts:

☒ Continued on the attached sheet.

SR HIGGINS  
(Affiliate)

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(Affiliate)  
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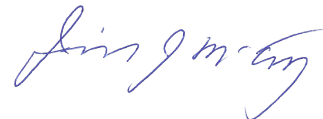
*Complainant's signature*

S.R. CORY HIGGINS  
TASK FORCE OFFICER  
DRUG ENFORCEMENT ADMINISTRATION

*Printed name and title*

Sworn to and subscribed telephonically.

Date: March 14, 2023



*Judge's signature*

City and State: Buffalo, New York

HONORABLE JEREMIAH J. MCCARTHY  
UNITED STATES MAGISTRATE JUDGE

*Printed name and title*

**AFFIDAVIT**

STATE OF NEW YORK                    )  
COUNTY OF CATTARAUGUS        )       SS:  
TOWN OF MACHIAS                    )

**S.R. CORY HIGGINS**, a Task Force Officer (TFO) of the Drug Enforcement Administration (DEA), United States Department of Justice, Buffalo, New York, having been duly sworn, states as follows:

**INTRODUCTION**

1. I am a Deputy Sheriff employed by the Cattaraugus County Sheriff's Office (CCSO) since 1994. I am an "investigative or law enforcement officer of the United States" within the meaning of Section 2510(7) of Title 18, United States Code, that is, a TFO of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Section 2516, Title 18, United States Code. I am currently assigned to the Enforcement Group D-58, which is composed of Special Agents and Local Law Enforcement officers investigating narcotics trafficking. I have been employed as a TFO for the DEA since December 2001 and I have participated in numerous investigations concerning the distribution of narcotics and the laundering of drug proceeds.

2. During my law enforcement career, I have participated in numerous investigations targeting individuals engaging in the trafficking and distribution of narcotics. Based on my training, experience in law enforcement, and conversations with DEA Special

Agents (SAs) and TFOs, and other law enforcement officers, I am familiar with how controlled substances are cultivated, manufactured, processed, packaged, distributed, sold, and used by individuals involved in drug trafficking activities, and how drug traffickers use electronic communications to facilitate their illegal activities.

3. As a result of my training and experience, I am familiar with the language, conduct, and customs of people engaged in narcotics transactions and narcotics conspiracies. My investigative experience, as well as the experience of other law enforcement agents who are participating in this investigation, serve as the basis for the opinions and conclusions set forth herein. I have not included every fact and circumstance known to me in this affidavit, but I have included facts and circumstances that I believe establish probable cause to support the submitted Criminal Complaint.

4. I make this affidavit in support of an application for a Criminal Complaint charging **BRANDI C. BARTLOW** with a violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C) (possession with intent to distribute methamphetamine). Methamphetamine is a Schedule II controlled substance.

#### **PROBABLE CAUSE**

5. On March 08, 2023, at approximately 12:30 AM, CCSO Deputy Rachael Zimmer was on patrol in Machias, New York when she observed a black Cadillac bearing NYS Registration KCB3036 (the “Cadillac”) parked at a residence located on Pleasant Valley Road, Machias, New York. Machias, New York is located in Cattaraugus County, in the

Western District of New York. Deputy Zimmer was familiar with the residence and was aware that it had been the target of numerous drug investigations. Further, Deputy Zimmer was aware that members of the household have been arrested on drug related offenses on multiple occasions.

6. Deputy Zimmer quickly determined that the Cadillac was registered to Troy Bray, at PO Box 56, Steamburg, New York. Deputy Zimmer also confirmed that Bray had a suspended New York State driver's license. Deputy Zimmer observed a male sitting in the driver's seat of the Cadillac, waiting in the driveway of the Pleasant Valley Road residence.

7. At approximately 1:15 AM, Deputy Zimmer observed the Cadillac leave the residence located on Pleasant Valley Road. Shortly thereafter, as the Cadillac traveled on Route 16 in Machias, New York, Deputy Zimmer conducted a traffic stop on the Cadillac as the registered owner, Bray, had a suspended license (*see Kansas v. Glover*, 140 S.Ct. 1183, 1188 (2020) (running the plates of a car and finding that the owner has a suspended license creates a "commonsense inference" that the registered owner is likely the driver and "g[ives] rise to reasonable suspicion," allowing for a traffic stop)). Upon stopping the Cadillac, Deputy Zimmer identified Bray as the operator of the Cadillac and **BARTLOW** as the front passenger seat. **BARTLOW**'s minor daughter was seated in the back seat. Deputy Zimmer was eventually assisted with the traffic stop by CCSO Sgt. Adam Kemp and Deputy Justin Kehr.

8. During the course of the traffic stop, Deputy Zimmer observed a white plastic straw with suspected drug residue on the front driver's side seat. Deputy Zimmer also

observed tinfoil located in the driver's door of the Cadillac. Deputy Zimmer, based on her training and experience, recognized that the straw and foil, together, are commonly associated with narcotics use. Deputy Zimmer asked Bray what the substance was and Bray responded, "It's meth." Prior to initiating a search of the Cadillac, Deputy Zimmer was notified by CCSO dispatch that **BARTLOW** was wanted on four outstanding warrants issued by Chautauqua County.

9. Deputy Kehr then took **BARTLOW** into custody and conducted a search of her person incident to arrest. Deputy Kehr located a large plastic bag containing suspected crystal methamphetamine in **BARTLOW**'s front pocket.

10. During the search of the Cadillac, Deputy Zimmer located three large plastic bags containing suspected crystal methamphetamine and a digital scale with residue. Each of these items was located in a purse belonging to **BARTLOW**. In addition, CCSO seized \$454 in U.S. currency from **BARTLOW**. In total, CCSO seized roughly 104 grams of suspected methamphetamine from **BARTLOW**. Deputy Zimmer conducted a field-test of the suspected crystal methamphetamine seized from **BARTLOW** which yielded a positive result for the presence of methamphetamine.

11. Based on my training and experience, the possession of such a large quantity of methamphetamine, a large sum of cash, and a digital scale (commonly used in narcotics trafficking to weigh and distribute narcotics) is inconsistent with personal use of methamphetamine and is, instead, consistent with methamphetamine distribution.

**WHEREFORE**, based on the foregoing, I respectfully submit that probable cause exists to believe that **BRANDI C. BARTLOW** has violated Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C) (possession with intent to distribute methamphetamine). Your affiant requests that this Criminal Complaint and an arrest warrant for **BARTLOW** be issued based on the foregoing.

SR HIGGINS  
(Affiliate)

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HIGGINS (Affiliate)  
Date: 2023.03.14 16:36:02  
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S.R. CORY HIGGINS  
Task Force Officer  
Drug Enforcement Administration

Sworn to telephonically on  
this 14th day of March, 2023.



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HONORABLE JEREMIAH J. MCCARTHY  
UNITED STATES MAGISTRATE JUDGE